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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: OHKUBO et al.  
SERIAL NO.: 10/822,374  
FILED: April 12, 2004  
FOR: REPRODUCED SIGNAL EQUALIZING METHOD FOR OPTICAL...  
GROUP: 2627  
DOCKET: NEC WNZ-2665 CONFIRMATION NO. 2825

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicants wish to bring to the attention of the Patent Office additional prior art received in connection with an Official Action issued in Applicants' corresponding Japanese application. Attached is U.S. Patent Office Form PTO-1449, including a copy of the prior art reference listed therein, and a copy of the Official Action. The claims in the present application are believed to be patentably distinguished over these references.

This Information Disclosure Statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitute prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 CFR § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most

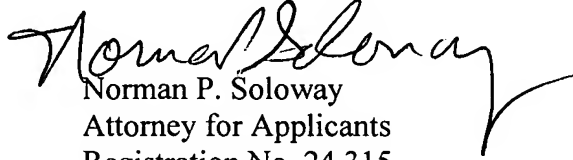
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knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an Official Action by a foreign Examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of foreign Examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign Examiner's comments submitted therewith.

The enclosed Information Disclosure Statement is being submitted within three months of receipt of the Official Action as certified in the attached Statement for Information Disclosure Statement. Therefore, we believe there are no fees involved with this Supplemental Information Disclosure Statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,

  
Norman P. Soloway  
Attorney for Applicants  
Registration No. 24,315

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 3, 2009 at Tucson, Arizona.

By: 

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**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
**NEC WNZ-2665**

In Re Application Of:

**OHKUBO et al.**

FEB 05 2009  
FILING DATE  
PENDING TRADEMARK OFFICE

Application No.

Examiner

Customer No.

Group Art Unit

Confirmation No.

**10/822,374**

**April 12, 2004**

**27667**

**2627**

**2825**

Invention:

**REPRODUCED SIGNAL EQUALIZING METHOD FOR OPTICAL INFORMATION MEDIA AND...**

COMMISSIONER FOR PATENTS:

This statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement under 37 CFR 1.97(e)(1)

Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR 1.97(e)(2)

No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designed in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Dated: **2/3/09**

Signature

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I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

**February 3, 2009**

*Olson*

*Melissa Nguyen*